

**Mojave Desert Air Quality Management District**  
**Brad Poiriez, Executive Director**  
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**REGULAR GOVERNING BOARD MEETING  
MONDAY, FEBRUARY 22, 2021 - 10:00 A.M.  
MDAQMD OFFICES, BOARD CHAMBERS  
VICTORVILLE, CA**

MINUTES

Board Members Present:

Merl Abel, Town of Yucca Valley, **Chair**  
Elizabeth Becerra, City of Victorville  
Brigit Bennington, City of Hesperia  
Paul Cook, San Bernardino County – First District Supervisor  
Joey DeConinck, City of Blythe – *via Zoom*  
Stevevonna Evans, City of Adelanto  
Kari Leon, Town of Apple Valley, **Vice Chair**  
Dan Mintz, Sr., City of Twentynine Palms – *via Teleconference*  
V. Manuel Perez, Riverside County – *via Zoom*  
Barbara Riordan, Public Member – *via Zoom*  
Dawn Rowe, San Bernardino County – *via Zoom*  
Tim Silva, City of Barstow

Board Members Absent:

Jeff Williams, City of Needles

**CALL TO ORDER**

Chair **MERL ABEL** called the meeting to order at 10:00 am and asked Board Member **BRIGIT BENNINGTON** to lead the Pledge of Allegiance.

Chair **MERL ABEL** called for Roll Call – Deanna Hernandez, Senior Executive Analyst, called roll.

Items with potential Conflict of Interests – If you believe you have a conflict of interest, please recuse yourself at the appropriate time. If you have a question regarding a potential conflict of interest, please contact District Counsel. Chair **MERL ABEL** asked if any members wished to indicate a conflict of interest in regards to any agenda items. No Members did so.

Chair **MERL ABEL** called for **PUBLIC COMMENT**. No public comment was made in person, telephonically or electronically, moved onto the **CONSENT CALENDAR**.

**CONSENT CALENDAR** – Chair **MERL ABEL** polled the Board to determine if any member wished pull an item on the consent calendar for discussion. No member did so. The following consent items were acted upon by the Board at one time without discussion. Upon motion by Board Member **BARBARA RIORDAN**, seconded by Board Member **DAWN ROWE**, and carried by the following roll call vote, with twelve **AYES** votes by Board Members, **MERL ABEL, ELIZABETH BECERRA, BRIGIT BENNINGTON, PAUL COOK, JOSEPH “JOEY” DECONINCK, STEVEVONNA EVANS, KARI LEON, DANIEL MINTZ, Sr., V. MANUEL PEREZ, BARBARA RIORDAN, DAWN ROWE, and TIM SILVA** with Board Member **JEFF WILLIAMS** absent, on the Consent Calendar, as follows:

Agenda Item 1 – Approve Minutes from Regular Governing Board Meeting of January 25, 2021.  
**Approved** Minutes from Regular Governing Board Meeting of January 25, 2021.

Agenda Item 2 – Amend and update Governing Board Policy 93-3, “Policy and Procedure Manual;” Governing Board Policy 11-02, “Designation of Ethics Training and Recordkeeping Requirements;” Governing Board Policy 16-01, and “Technical Advisory Committee (TAC).”  
Presenter: Brad Poiriez, Executive Director/APCO.

**Amended and updated** Governing Board Policy 93-3, “Policy and Procedure Manual;” Governing Board Policy 11-02, “Designation of Ethics Training and Recordkeeping Requirements;” Governing Board Policy 16-01, and “Technical Advisory Committee (TAC).”

Agenda Item 3 – Amend and update *Governing Board Procedural Rules*. Presenter: Brad Poiriez, Executive Director/APCO.  
**Amended and updated** *Governing Board Procedural Rules*.

Agenda Item 4 – Authorize surplus of District-owned capital equipment and disposal as indicated; receive and file the Executive Director’s report of surplus and disposal for non-capital items.

Presenter: Trevor Samorajski, Systems Administrator I.

**Authorized** surplus of District-owned capital equipment and disposal as indicated; **received and filed** the Executive Director’s report of surplus and disposal for non-capital items.

Agenda Item 5 – Ratify the Board Chair’s appointment of members to serve on the Budget Committee and the Personnel Committee for calendar year 2021.

Presenter: Brad Poiriez, Executive Director/APCO.

**Ratified** the Board Chair’s appointment of members to serve on the Budget Committee and the Personnel Committee for calendar year 2021.

Agenda Item 6 – Adopt a budget schedule for FY 21-2022.

Presenter: Laquita Cole, Finance Manager.

**Adopted** a budget schedule for FY 21-2022.

Agenda Item 7 – Receive and file the Other Post-Employment Benefits (OPEB) Report. This item reports the June 30, 2020 Other Post-Employment Benefits (OPEB) actuarial valuation of the District’s retiree health insurance program.

Presenter: Laquita Cole, Finance Manager.

**Received and filed** the Other Post-Employment Benefits (OPEB) Report. This item reports the June 30, 2020 Other Post-Employment Benefits (OPEB) actuarial valuation of the District’s retiree health insurance program.

Agenda Item 8 – Receive and file the District Activity Report.

Presenter: Brad Poiriez, Executive Director/APCO.

**Received and filed** the District Activity Report.

Agenda Item 9 – Receive and file the Financial Report for **FY21**, through the month of **December 2020**, which provides financial information and budget performance concerning the fiscal status of the District.

Presenter: Laquita Cole, Finance Manager.

**Received and filed** the Financial Report for **FY21**, through the month of **December 2020**, which provides financial information and budget performance concerning the fiscal status of the District.

Agenda Item 10 – Receive and file the Legislative Report for February 2021.

Presenter: Brad Poiriez, Executive Director/APCO

**Received and filed** the Legislative Report for February 2021.

Agenda Item 11 – Set date of March 22, 2021 to conduct a public hearing to consider the amendment of Regulation XIII – *New Source Review* and Rule 1600 – *Prevention of Significant Deterioration*; the rescission of Rule 1310 – *Federal Major Facilities and Federal Major Modifications*; and approval of related California Environmental Quality Act (CEQA) documentation.

Presenter: Alan De Salvio, Deputy Director – Mojave Desert Operations.

**Date set** March 22, 2021 to conduct a public hearing to consider the amendment of Regulation XIII – *New Source Review* and Rule 1600 – *Prevention of Significant Deterioration*; the rescission of Rule 1310 – *Federal Major Facilities and Federal Major Modifications*; and approval of related California Environmental Quality Act (CEQA) documentation.

Agenda Item 12 – DEFERRED ITEMS.

None.

Agenda Item 13 – PUBLIC COMMENT.

No public comment was made in person, telephonically or electronically.

Agenda Item 14 – Conduct a public hearing to consider the Amendment of Rule 206 – *Posting of Permit to Operate*: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution

making appropriate findings, certifying the Notice of Exemption, amending the Rule and directing staff actions.

Presenter: Alan De Salvio, Deputy Director – Mojave Desert Operations.

Chair **MERL ABEL** opened the public hearing. Brad Poiriez, Executive Director/APCO, presented background information and answered questions from the Board. Chair **MERL ABEL** called for public comment, no public comment was made in person, telephonically or electronically, so being none, Chair **MERL ABEL** closed the public hearing. Upon motion by Board Member **ELIZABETH BECERRA**, seconded by Board Member **KARI LEON**, with twelves **AYES** votes by Board Members **MERL ABEL, ELIZABETH BECERRA, BRIGIT BENNINGTON, PAUL COOK, JOSEPH “JOEY” DECONINCK, STEVEVONNA EVANS, KARI LEON, DANIEL MINTZ Sr., V. MANUEL PEREZ, BARBARA RIORDAN, DAWN ROWE, and TIM SILVA** with Board Member **JEFF WILLIAMS absent**, the board, **made** the determination that the California Environmental Quality Act (CEQA) Categorical Exemption **applies; waived** reading of Resolution; and **adopted** Resolution **21-02, “A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, AMENDING RULE 206 – POSTING OF A PERMIT TO OPERATE AND DIRECTING STAFF ACTIONS.”**

Agenda Item 15 – Presentation – Permit Engineering.

Presenter: Sheri Haggard, Supervising Permit Engineer.

Sheri Haggard, Supervising Permit Engineer, presented a power point presentation and answered questions from the Board. No action taken by the Board as this item is information only.

Agenda Item 16 – Conduct a public hearing to present the 2018 Air Toxics “Hot Spots” Program Annual Report and discuss its content and significance: a. Open public hearing; b. Receive the 2018 Air Toxics “Hot Spots” Program Annual Report; c. Receive public testimony; d. Close public hearing; e. Direct staff action.

Presenter: Alan De Salvio, Deputy Director – Mojave Desert Operations.

Chair **MERL ABEL** opened the public hearing. Alan De Salvio, Deputy Director – Mojave Desert Operations, presented the background information and answered questions from the Board. Chair **MERL ABEL** called for public comment, no public comment was made in person, telephonically or electronically, so being none, Chair **MERL ABEL** closed the public hearing. On behalf of the Governing Board, Chair **MERL ABEL received and filed** the 2018 Air Toxics “Hot Spots” Program Annual Report.

Agenda Item 17 – The Annual Financial Report and Management Report (Audit) for Fiscal Year 2019-20 is being presented for receive and file. The audit process is complete and the information is provided to the Governing Board.

Presenter: Laquita Cole, Finance Manager.

Andy Beck, Auditor Fedek & Brown, presented the background information and answered questions from the Board. On behalf of the Governing Board, Chair **MERL ABEL received and filed** the Annual Financial Report and Management Report (Audit) for Fiscal Year 2019-20.

Agenda Item 18 – Reports:

Special notes from Mr. Poiriez:

- ❖ Martial gave us great news on our new GovDelivery subscriber numbers = The News Releases/updates list has 1,615 email only subscribers; 1,906 total including wireless notification subscribers. Our Grants mailing list has 1,383 email only subscribers; 1,623 total including wireless notification subscribers.
- ❖ Received our fully executed Targeted Airshed Grant (TAG) from EPA worth over \$3.2M so we will now go into next phase of procuring the locomotive and move forward for the replacement unit for CEMEX.

Mr. Poiriez updated the Board of past events:

- February 1st – Had a call with CARB on their proposed rulemaking for lawn and garden equipment. Want to make sure it does not impact air districts very popular and successful incentive program which it is not – should be more of a manufacturing level regulation.
- February 3rd – Joined the Zoom of the State of the City for Victorville
- February 3rd – Participated in Wrap Board meeting – discussed western states efforts moving forward on prescribed fire due to all the wildfires in recent years, also discussed Ozone and next phases of Regional Haze planning.
- February 10-11th – Participated in the CAPCOA Board of Directors and Legislative Committee meeting. Topics of discussion included: Proposed changes to Carl Moyer guideline revisions, AB617 grant allocations, DC Circuit decision on inter-pollutant offset trading (Nox/VOC) this could impact future ERC transactions CTR 15 - day changes. Legislative - oppose AB3111 (Gipson) essentially it would transition Moyer – a very popular, locally implemented incentive program to a CARB run program. A tremendous amount of bills being introduced in part or whole dealing with Prescribed Fires and Climate Change.
- February 17th – Held a Technical Advisory Council (TAC) meeting to discuss new and proposed rules – NSR, PSD (Revisions), new proposed rules 411- CMP for Ag Operations and 1119 – Confined Animal Facilities –dealing with fugitive dust and VOC's on the latter rule.
- February 18<sup>th</sup> - At the request of Board Member De Coninck, participated in the Blythe NRCS meeting to discuss with their board the development of proposed new CMP for Ag Ops. and CAFO's to meet our statutory requirements.
- February 18<sup>th</sup> – participated in AAPCA Air Directors monthly call.
- February 18<sup>th</sup> – attended a discussion on Brightline high speed rail project - for recollection in June of 2020 our Board took an official position to support and submitted a letter of support for the proposed project.

Mr. Poiriez updated the Board of coming events:

- Feb. 25<sup>th</sup> - CARB Board Meeting: on agenda – CARB 2020 Amendments to the Area Designations for State Standards - They will designate our portion of the Mojave Air Basin as ATTAINMENT for the PM2.5 standards based on no exceedances during the 2017 - 2019 data years. They also will consider (2) new communities to be selected under AB617; keep adding communities with no new funding to do the monitoring, emission reduction planning etc.
- March 3<sup>rd</sup> – WRAP Board call
- March 10-11<sup>th</sup> – CAPCOA Board meeting
- March 17<sup>th</sup> – MEEC Board meeting
- March 17<sup>th</sup> – AAPCA Local Government Committee Call
- March 22<sup>nd</sup> – Next MDAQMD Board meeting

Agenda Item 19 - Board Member Comments and Suggestions for Future Agenda Items.

- Chair **ABEL** thanked staff for the department presentation and requested to please continue with the department presentations as they are beneficial to the Governing Board.
- Board Member **RIORDAN** commented on her excitement as our District area being designate as PM 2.5 attainment as proposed area designation for State Standards on the California Air Resources Board (CARB) meeting Thursday, February 25, 2021. Member **RIORDAN** also share concerns over legislative attempts to move implementation incentive programs from local to state.

Being no further business, Chair **MERL ABEL** adjourned the meeting at **11:23 a.m.** to the next Regular Meeting of **March 22, 2021.**

**ACTION OF THE GOVERNING BOARD**

**APPROVED**

Upon Motion by **BARBARA RIORDAN**, seconded by **BRIGIT BENNINGTON**, as approved by the following roll call vote:

**Ayes:**            **11**     **ABEL, BECERRA, BENNINGTON, COOK, DECONINCK, EVANS, LEON, MINTZ, RIORDAN, ROWE, SILVA**

**Noes:**

**Absent:**         **2**       **PEREZ, WILLIAMS**

**Abstain:**

**DEANNA HERNANDEZ, SENIOR EXECUTIVE ANALYST**

**BY *Deanna Hernandez***

**Dated: March 22, 2021**